

BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 420
WASHINGTON, D.C. 20009
(202) 671-0550

IN THE MATTER OF)	DATE: August 26, 2004
)	
Howard W. Stone)	DOCKET NO.: 03F-126
Member)	
DC Water and Sewer Authority)	
Board of Directors)	
3104 Courtside Road)	
Mitchellville, Maryland 20723)	

ORDER

This matter came before the Office of Campaign Finance (OCF) based upon OCF's own motion for reconsideration of the Order of the Director issued on September 25, 2003. On September 25, 2003, the Director entered an Order in this matter which imposed a fine of \$2,000.00 for failure to timely file a Financial Disclosure Statement on or before June 19, 2003 for calendar year 2002. On December 15, 2003, OCF filed the Motion.

Summary of Evidence

In the Motion, OCF discovered, through its Public Information and Records Management (PIRM) Division that the respondent had filed the required Financial Disclosure Statement on June 30, 2003, contrary to its Order which imposed the maximum fine for failure to file.

Findings of Fact

Having reviewed OCF's motion and the record herein, I find that:

1. Respondent failed to timely file the required Financial Disclosure Statement in calendar year 2002 until August 21, 2002.
2. OCF's records should have reflected receipt of respondent's filing of the required FDS on June 30, 2003.
3. Respondent is currently in compliance with the statute.

Conclusions of Law

1. Pursuant to the Order In the Matter of: Howard W. Stone, a fine in the amount of \$2,000.00 was imposed upon respondent herein.
2. In accordance with 3 D.C.M.R. §3711.5 (1999), OCF appealed this matter on its own motion.
3. Respondent violated D.C. Official Code §1-1106.02.
4. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$300.00 for failing to timely file a Financial Disclosure Statement.
5. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
6. As a result of OCF's late discovery of the June 30, 2003 filing, this constitutes good cause for suspension of the fine; notwithstanding, the respondent is admonished to adhere to the statutory filing deadlines in the future.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the fine in this matter.

Date

Jean Scott Diggs
Hearing Officer

Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

Date

Kathy S. Williams
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine be hereby suspended in this matter.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order.

NOTICE

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14th Street, N.W., Washington, D.C. 20009.